If this provision becomes law, Federal judges will once again be able to accept cash compensation for speeches. There will be no limit on this additional compensation because the bill also provides that honoraria will not be considered outside income, which is subject under current law to a cap equal to 15 percent of the salary of a Level II executive employee, or about $22,000. With this change, Federal judges will be able to supplement their Federal salaries of over $140,000 per year with tens of thousands of dollars from speaking engagements.

The Federal judiciary as a whole is widely respected, and deservedly so. But it has been a bad few months for the reputation of the judiciary. Even before this effort to lift the honoraria ban, there has been increasing attention to the practice of Federal judges traveling to posh resorts and dude ranches to attend seminars and conferences. These junkets are ''all-expenses paid,'' and the bill is often footed by legal foundations and industry groups with litigation interests before the very judges who attend the seminars.

A recent report released by Community Rights Council found that at least 1,030 Federal judges took over 5,800 privately funded trips between 1992 and 1998. Some of these seminars are conducted at posh vacation resorts in locations such as Amelia Island, FL and Hilton Head, SC, and include ample time for expense-paid recreation. These kinds of education/vacation trips, which have been valued at over $7,000 in some cases, create an appearance that the judges who attend are profiting from their positions. More important, they create an appearance that is not consistent with the image of an impartial judiciary.

That is the same image that is threatened by this proposed repeal of the honoraria ban. Who in this body believes that the powerful interests that seek our good will through campaign contributions would not try to curry favor with judges with generous honoraria? Have we learned nothing over the past two decades? In 1989, the Congress took a big step forward by increasing the salaries of federal employees and prohibiting honoraria. Perhaps we need to revisit the issue of the salaries of federal judges in light of current economic circumstances. But one thing I am absolutely certain we should not do is relax the ethical standards to which they are subject. The independence and impartiality of the judiciary are too important to our system of justice. This would truly be a case of cutting off our nose to spite our face.

Now let me say a few words about the process by which this significant change in the ethical guidelines that apply to judges has come close to becoming law. The provision was included in the bill reported by the Appropriations Committee on July 18. It was very quietly added to that bill. It takes up only a page and a half of 126 pages of legislative language. And the committee report, which usually can be counted on to explain the bill says the following about section 305:

* * * section 305 amends section 501 of 5 U.S.C. App.

That is it. No explanation, no rationale, no argument for why this change should be made, or why it is being done in an appropriations bill instead of in substantive legislation that might be the subject—which you might imagine we would like to have—of hearing and committee consideration.

At any rate, the Commerce State Justice appropriations bill still has not yet come to the floor and now it appears very likely it will never come to the floor. That means that those of us who oppose the lifting of the honoraria ban, not to mention other troubling provisions in that bill, will never have a chance to offer an amendment to delete it from the bill. We will never have a chance to ask our colleagues to vote on this provision. We will never know whether the United States Senate supports what the Appropriations Committee has done.

I think that is outrageous. We should be ashamed. This is a very important revision to the Ethics in Government Act. The Senate should be permitted to vote on it. But the Republican leadership will not let that happen. That means that the crucial decision will be made by the appropriators in their mock conference, and by the negotiators of a final omnibus spending bill.

It appears that lifting the honoraria ban for judges in some of our colleagues' minds is just a first step to allowing other public officials to supplement their salaries with payments from special interests. The majority leader was quoted as saying that we'll probably need to get rid of the ban for Members of Congress as well. I urge the people who are crafting these bills to think twice before starting down this slippery slope. Let's keep the honoraria ban in place for judges and ensure that our judiciary maintains its integrity and the respect of the American people.

STRATEGIC PETROLEUM RESERVE

Mr. MURKOWSKI. Mr. President, I rise today to call the attention of my colleagues to an urgent matter, and that is the reauthorization of the Strategic Petroleum Reserve. The legislation is sitting here today and awaits clearance. It is contained in the Energy Policy and Conservation Act, or EPCA.

We have a hold on the passage of EPCA, which contains the Strategic Petroleum Reserve reauthorization. Also in the EPCA package is the Northeast home heating oil reserve. I know this is of great interest to Members from the Northeast, who are concerned, legitimately, about the potential of higher prices for home heating oil this fall and this winter, particularly if we should have a very cold winter.

The White House, the Secretary of Energy, has pleaded with Congress to pass EPCA, including the Strategic Petroleum Reserve reauthorization. I am chairman of the Energy and Natural Resources Committee. We passed a companion measure out of this committee. Now EPCA waiting on the floor. An effort was made last night to clear it. The administration claims it is an emergency that they have the reauthorization. They are contemplating going into the SPR and taking oil out of it to try an address this crisis. The merits of that deserve additional consideration by this body.

I will just share this observation on the logic of such a move. SPR is a reserve, it holds about a 50-day supply of oil, which is to be used in the case of emergency disruption of our foreign oil. Currently our dependence on foreign oil amounts to about 58 percent of our consumption. However, because of the high prices and the inadequacy of our refining industry, we are facing a train wreck relative to energy prices, gasoline, diesel, and other petroleum products. If it seems I am being a little ambitious in citing the critical nature of this crisis, let me tell you that the Government of Great Britain and Prime Minister Tony Blair find it a real issue relative to the stability and continuity of that Government.

The responses we have seen in Germany, England, Poland, and other countries to the increasing price of energy and what it means to the consumer is not only of growing concern, but it has reached a crisis mentality. During this country's last energy crisis, we had our citizens outraged. It was in 1973 when the oil embargo associated with the production from OPEC—it was called the Arab oil embargo—hit this country. We had gas lines around the block. People were mad, outraged, indignant. At that time, we were only 37-percent dependent on imported oil. Today, we are 58 percent. The Department of Energy contemplates we might be as high as 63 or 64 percent in the not too distant future.

The oil price yesterday was the highest in 10 years, more than $37 a barrel. There are those who predict it is going to go to $40 a barrel. Here we have the reauthorization of the Strategic Petroleum Reserve, at the request of the administration, being held up by a Member on the other side of the aisle. There may be other reasons the Senator has seen fit to put a hold on this legislation.

I certainly would be happy to debate one of the issues that concerns activity in my State. It is the measure that allows power plants smaller than 5-

megawatts to be licensed through a state procedure in Alaska. It would allow our Native people in rural areas to have clean, renewable energy rather than the high-cost diesel power they now burn.

I want to tell my colleagues, the Native people in Alaska really need this exemption. This is utilizing the renewable resource; namely, rainwater, snowfall. The inability of these small projects to support the cost of a Federal energy regulatory relicensing procedure—which is appropriate for large-scale projects—makes it absolutely beyond the capability of these small villages to utilize renewable resources associated with a 5 megawatt powerplant generated by water power.

I do not know whether there is an objection on the royalty-in-kind provision. No other Senator has indicated an objection, nor has the administration. It is hard to understand an objection when the provision simply says that the Secretary of the Interior may accept gas and oil in lieu of cash payments. The Department of the Interior has that power now and is using it in pilot projects.

The provision allows the Secretary more administrative flexibility to actually increase revenues from the Government's oil and gas royalty-in-kind program. Under current law, the Government has the option of taking its royalty share either as a portion of production—usually one-eighth or one-sixth—or its equivalent in cash.

Recent experiences with the MMS's royalty-in-kind pilot program has shown that the Government can increase the value of its royalty oil and gas by consolidation and bulk sales. Under royalty-in-kind, the Government controls and markets its oil without relying on its lessees to act as its agent. This eliminates a number of issues that have resulted in litigation in recent years and allows the Government to focus more directly on adding value to its oil and gas.

I would hope my appeal results in the administration, the Secretary of Energy, and others who believe very strongly that EPCA should be passed, including the reauthorization of the Strategic Petroleum Reserve. This action is especially timely, when indeed this country faces a crisis in the area of oil. I think the merits of the President having this authority at a time when we contemplated an emergency suggests the immediacy of the fact that this matter be resolved and addressed satisfactorily. We should adhere to the plea of the President to reauthorize SPR. I want the Record to note it is certainly not this side of the aisle that is holding this matter up. I would suggest it be directed by the appropriate parties to get clearance so we can pass EPCA out of this body.

FEDERAL SUPPORT FOR THE 2002 WINTER OLYMPIC GAMES

Mr. HATCH. Mr. President, I could not believe my ears yesterday afternoon when I heard the Senator from Arizona take out after my home State and my home city.

On behalf of the people of Utah and America, I express our outrage over the notion that supporting our country's Olympic Games could be termed either ''parochial'' or ''pork barrel.'' Nothing could be further from the truth.

I frankly do not agree with every provision the committee recommends either. But, I do not question the motives or sincerity of my colleagues who put it there.

Yesterday, the Senator from Arizona specifically questioned the level of federal support for the 2002 Winter Olympic Games in Salt Lake City. It is, of course, his right to oppose such assistance. But, before he walks further down the plank, I would like to provide a few facts. Perhaps the Senator will reevaluate his position.

First, the report just issued by the General Accounting Office, ''Olympic Games: Federal Government Provides Significant Funding and Support,'' is flawed in several respects. I am sorry that the Senator from Arizona has relied so heavily on this document to form his opinions about the Salt Lake Games.

Foremost among the problems with the GAO report is the fact that it errs in categorizing a number of projects, specifically in the transportation area, as ''Olympic'' projects. In fact, these are improvements to transportation infrastructure that would have been requested regardless of whether Salt Lake had been awarded the Olympic bid.

I would be happy to show the Senator from Arizona the details of the I–15 improvements and why they were necessary to repair road and bridge deterioration, implement safety designs, and relieve congestion. None of this has anything to do with the Olympic Games. Local planning for this project was actually begun in 1982, 13 years before Salt Lake City was awarded the Games.

GAO itself implies that the inclusion of these projects as Olympic projects is misleading. The report states on page 8: ''According to federal officials, the majority of the funds would have been provided to host cities and states for infrastructure projects, such as highways and transit systems, regardless of the Olympic Games.''

The major effect of the 2002 Olympic Games on this project is the timetable for completion. Quite obviously, we cannot have jersey walls marking off construction zones and one-lane passages during the Games.

Moreover, while Utah has sought and received some federal assistance for the project, the I–15 reconstruction project has been funded substantially by Utah's Centennial Highway Fund, which was established in 1997 and funded by an increase in the state's gasoline tax. This fact seems to disappear from the radar screen during these debates.

The GAO report also ascribes the TRAX North-South light rail system to the Olympic expense column. This, too, is not the case. The full funding agreement for the North-South light rail project was granted by the U.S. Department of Transportation in August 1995, less than two months after Salt Lake was awarded the Games. Clearly light rail was not initiated because of the Games.

While the light rail system will certainly benefit Olympic spectators during the Games, that is not why Salt Lake City and communities south of the city built it.

Salt Lake is growing by leaps and bounds. More and more people commute into the city—not unlike the Washington metropolitan area. It is a city that is striving to reduce air pollution by encouraging the use of public transportation. That is why they built light rail.

I would like to point out to my colleagues that the General Accounting Office did another report entitled, ''Surface Infrastructure: Costs, Financing and Schedules for Large-Dollar Transportation Projects.'' In this 1998 report, the GAO evaluated Utah's major transportation projects for the House Transportation Appropriations Subcommittee. This report concluded that both the I–15 and light rail projects were being efficiently run and were well within budget. Many of the contracts were being awarded at costs lower than expected. Yet, this fact was not included in the debate yesterday.

The Department of Transportation Inspector General issued a report in November 1998 concluding that the I–15 reconstruction project was on schedule and that the cost estimates were reasonable. It also praised Utah's use of the ''design-build'' method of contracting on this project. This fact was similarly omitted from the discussion yesterday.

Contrary to the impression left by the Senator from Arizona, the Salt Lake Olympic Committee, SLOC, has never sought to ''sneak'' anything into an appropriations bill. Mitt Romney and his staff have been open about every dime being requested.

Those transportation projects which are necessary to put on the Olympic Games in 2002 were delineated in a transportation plan submitted to and approved by the U.S. Department of Transportation. The funds being requested were detailed in that plan.

The Senator from Arizona yesterday implied that these so-called ''pork barrel'' appropriations for the 2002 Winter